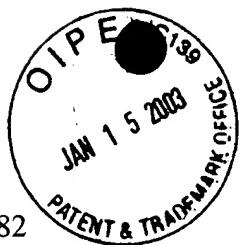


03500.013982



1652
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TETSUYA YANO)
Application No.: 09/430,029)
Filed: October 29, 1999)
For: DNA FRAGMENT CARRYING)
TOLUENE MONOOXYGENASE)
GENE, RECOMBINANT)
PLASMID, TRANSFORMED)
MICROORGANISM, METHOD)
FOR DEGRADING)
CHLORINATED ALIPHATIC)
HYDROCARBON COMPOUNDS)
AND AROMATIC COMPOUNDS,)
AND METHOD FOR)
ENVIRONMENTAL)
REMEDIATION)
Examiner: E. Slobodyansky
Group Art Unit: 1652

#26
M93
2/12/03
RECEIVED

JAN 16 2003

TECH CENTER 1600/2900

January 14, 2003

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed below and on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed.

- (1) United States Patent No. 5,543,317
- (2) European No. 0 597 283 A2
- (3) European No. 0 611 729 A1
- (4) European No. 0 447 862 A1

These documents were cited during prosecution of a European patent application corresponding to the above U.S. application. A copy of the European Search Report, which is dated November 25, 2002, is enclosed. In view of this date, it is hereby certified under 37 C.F.R. § 1.97(e) that each document in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

The Search Report does not list English language counterparts for European Patent Application No. 0 447 862 A1, it being Applicant's understanding that the listed German and Austrian counterparts (DE 4009109, AT 99980 and DE 59100827) are also published in German.

The Examiner is urged to study this information in its entirety and to form an independent determination of the materiality of the information to the claimed invention. Additionally, the Examiner is requested to indicate that this information has been considered by initialing the appropriate portion of Form PTO-1449.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicant
Registration No. 32622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200